

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65952 of 2018

Arising Out of PS. Case No.-257 Year-2012 Thana- JOGAPATTI District- West Champaran

Prabhu Yadav Son of Late Asharfi Yadav Resident of Village-Choumukha,P.S.
Yogapatti,Distt.-West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-12-2018 Petitioner prays for bail in connection with Trial No. 2707 of 2017, arising out of Yogapatti P.S.Case No. 257 of 2012 registered for the offences punishable under Sections 302, 120B, 504 and 34 of the Indian Penal Code, including Section 27 of the Arms Act.

Allegation against the accused persons, including the petitioner is that they intercepted the informant and his brother and shot fire at the brother of informant due to which he died and petitioner is named in the FIR. The case is of the year 2012 and he has appear on 6.1.2018.

Submission of learned counsel for the petitioner is that he is in custody since 6.1.2018 and there is general and omnibus allegation of firing against him and further he has no knowledge about the case as such he could not appear earlier.



Heard learned APP also.

Having heard both sides and in the facts and circumstances and also considering the conduct of the petitioner that in spite of the fact that he is named in the FIR and he has not appeared earlier, due to which trial is being delayed, I am not inclined to grant bail to the petitioner.

However, once charge has been framed in this case, petitioner is at liberty to renew his prayer for bail.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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